

DURHAM BOARD OF ADJUSTMENT
MINOR SPECIAL USE PERMIT APPLICATION
(Please Print or Type)

CASE B_____ (Assigned by the Planning Department)

(Applicant's Name) I, _____, do hereby petition the Durham City-County Board of Adjustment for a **Minor Special Use Permit** to allow the following:

Section 13.1.3 of the Durham City-County Zoning Ordinance states that the Board of Adjustment may only approve a Minor Special Use Permit if it finds that your use as proposed, or as proposed with conditions required by the Board, is:

- "1. *In harmony with the area and will not substantially injure the value of properties in the general vicinity; and*
2. *In conformance with all special requirements applicable to the use and in conformance with the Supplementary Requirements Section (Section 7) of the Zoning Ordinance; and*
3. *Will not adversely affect the health or safety of the public."*

In the space provided below (or use a separate sheet if necessary), describe how you feel that your use as proposed is in conformance with, and is consistent with, the required general findings stated above.

"Section 13.1.3 - General Findings

Applications for Minor Special Use Permits shall be approved only if the Board of Adjustment finds that the use as proposed, or the use as proposed with conditions, is:

1. In harmony with the area and not substantially injurious to the value of properties in the general vicinity;

2. In conformance with all special requirements applicable to the use and in conformance with the Supplementary Requirements Section of this ordinance; and
3. Will not adversely affect the health or safety of the public.

If the Board of Adjustment fails to find conformance with the conditions listed above, or makes findings which are inconsistent with those conditions listed above, then the proposed permit shall be denied.”

“Section 13.1.4 Considerations

In addition to the conditions above, before any use permit shall be granted, the Board shall find that satisfactory consideration has been given to the following, if applicable:

1. **Circulation** - Number and location of access points to the property and the proposed structures, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.”
- “2. **Parking and Loading** - Location of off-street parking, handicapped area and loading areas.

- “3. **Effects on Adjacent Property** -Levels of noise, glare or odor; and the effects on adjacent property.”
- “4. **Service Entrance and Areas** - Locations of refuse and service areas with particular reference to ingress and egress of service vehicles.”
- “5. **Utilities** - Location and availability of utilities.”
- “6. **Screening and Landscaping** - Installation of screening and fencing where necessary to protect adjacent property.”
- “7. **Signs and Lighting** - Locations of exterior lighting and signs with reference to glare, traffic safety, economic effect and compatibility with other property in the area.”
- “8. **Open Space** - Location of required yards and other open spaces and preservation of existing trees and other natural features.”
- “9. **Compatibility** - The level of general compatibility with adjacent properties and the appropriateness of the use in relationship to other properties.”

- “10. Any other review factors which the Board of Adjustment considers to be appropriate to the property in question.”

In granting a **Minor Special Use Permit**, the Board may place conditions on the use to assure that adequate measures are taken to mitigate any negative potentially negative impacts associated with the use. The conditions shall become part of the Minor Special Use Permit approval. All special requirements and conditions must be followed by the applicant in order to maintain the validity of the Minor Special Use Permit. **Minor Special Use Permits** are revocable by the Board at any time for failure to adhere to the terms of the Zoning Ordinance or any imposed requirements or conditions. In addition, violations of any of these conditions are treated in the same manner as other violations of the Durham City-County Zoning Ordinance. All conditions imposed by the Board **are required to be completed prior to issuance of a Certificate of Compliance.**

Applicant: _____ Date: _____

Owner: _____ Date: _____

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